

MELINDA HAAG (CABN 132612)
United States Attorney
DAVID CALLAWAY (CABN 121782)
Chief, Criminal Division
KIM A. BERGER (NYBN 2481679)
HALLIE M. HOFFMAN (CABN 2100020)
Assistant United States Attorneys
MARK ROMLEY (CABN 240655)
Trial Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7232
Fax: (415) 436-7234
Kim.Berger@usdoj.gov
Hallie.Hoffman@usdoj.gov
Mark.Romley@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. CR 14-00175 TEH

**DECLARATION OF KIM A. BERGER
IN SUPPORT OF USA'S OPPOSITION
TO DEFENDANT'S MOTION TO
COMPEL RULE 16 AND *BRADY*
MATERIAL**

Hearing Date: June 1, 2015

Hearing Time: 10:00 a.m.

Court: Hon. Thelton E. Henderson

I, Kim A. Berger, declare as follows:

- I am an Assistant United States Attorney in the Northern District of California and I am assigned to the prosecution of this case.

2. Attached as Exhibit A is a redacted copy of the government's discovery letter, dated April 25, 2014.
3. Attached as Exhibit B is a true and correct copy of the government's discovery letter, dated May 12, 2014.
4. Attached as Exhibit C is a redacted copy of the government's discovery letter, dated June 27, 2014.
5. Attached as Exhibit D is a true and correct copy of the government's discovery letter, dated July 24, 2014.
6. Attached as Exhibit E is a true and correct copy of the government's discovery letter, dated August 18, 2014.
7. Attached as Exhibit F is a redacted copy of the government's discovery letter, dated September 12, 2014.
8. Attached as Exhibit G is a true and correct copy of the government's discovery letter, dated September 22, 2014.
9. Attached as Exhibit H is a true and correct copy of the government's discovery letter, dated October 3, 2014.
10. Attached as Exhibit I is a true and correct copy of the government's discovery letter, dated November 7, 2014.
11. Attached as Exhibit J is a true and correct copy of the government's discovery letter, dated November 10, 2014.
12. Attached as Exhibit K is a redacted copy of the government's discovery letter, dated December 24, 2014.
13. Attached as Exhibit L is a true and correct copy of the government's discovery letter, dated January 2, 2015.
14. Attached as Exhibit M is a redacted copy of the government's discovery letter, dated March 3, 2015.

1 15. Attached as Exhibit N is a true and correct copy of the interview report of Bruce Beighle,
2 dated February 26, 2012.

3 16. Attached as Exhibit O is a true and correct copy of the interview report of John W.
4 Pepper, dated November 28, 2011.

5 I declare under penalty of perjury that the foregoing is true and corrected. Executed this 6th day of May
6 2015, in San Francisco, California.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


KIM A. BERGER
Assistant United States Attorney